

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRANCISCA MORALEZ,

Plaintiff,

v.

HOME DEPOT U.S.A., INC., et al.,

Defendants.

Case No. 17-cv-05795-PJH

ORDER

Re: Dkt. Nos. 27, 36

Before the court are defendants Home Depot U.S.A., Inc. and HD Development of Maryland, Inc.'s (together, "Home Depot") motion to stay the case and plaintiff Francisca Moralez's motion to substitute one of her noticed attorneys. The matter is fully briefed and suitable for decision without oral argument. Having read the parties' papers and carefully considered their arguments and the relevant legal authority, and good cause appearing, the court hereby rules as follows.

Defendants move to stay the entire case based on the individual Chapter 7 bankruptcy proceedings of Mr. Falk, the owner and president of Mission Law Firm. Plaintiff is currently represented by counsel from Mission Law Firm. Having considered the papers submitted and for good cause shown, the court DENIES defendants' motion. The court finds no basis to stay this action.

Plaintiff moves to substitute one of her attorneys in this action, Zachary Manning Best of Mission Law Firm, with Zachary Manning Best of Moore Law Firm. First, the court notes that plaintiff is also represented by Tanya Eugene Moore of Mission Law Firm, and plaintiff has not filed a motion with respect to Tanya Moore. Second, the court

1 notes that Zachary Best has listed the same address, phone number, and email address
2 that he used with Mission Law Firm as his current information with Moore Law Firm.

3 These facts raise questions as to whether Best in fact remains affiliated with, and
4 whether plaintiff intends to remain represented by, Mission Law Firm. The court requests
5 a clarification from Best explaining why he continues to use the same information
6 affiliated with Mission Law Firm, and whether plaintiff intends to remain represented also
7 by Tanya Moore of Mission Law Firm. Plaintiff shall file an explanation within 30 days
8 from the date of this order.

9 **IT IS SO ORDERED.**

10 Dated: December 6, 2018



PHYLLIS J. HAMILTON
United States District Judge